

SENATE BILL 2927

By Atchley

AN ACT to amend Tennessee Code Annotated, Section 12-2-403 and Section 12-4-207, relative to the disposal of state surplus property to make all donees which have been approved as authorized donees under the federal surplus property program eligible for state surplus property.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-2-403(c)(1), is amended by deleting the language "whose chartered activities are related to health and/or education", and substituting instead the words "which have been approved as authorized donees under the federal surplus property program".

SECTION 2. Tennessee Code Annotated, Section 12-2-407, is amended by deleting the section in its entirety and substituting instead the following language:

The board shall promulgate regulations governing the transfer of surplus property to such governmental entities and corporations organized and conducted not-for-profit which have been approved as authorized donees under the federal surplus property program. Such regulations shall include, but not be limited to, prices to be set on items of surplus property, restrictions on the resale and the reversion to the state of any profit realized from any such resale. Not-for-profit corporations must first be listed as an authorized donee under the federal surplus property program administered by the department of general services. As the commissioner approves the declaration of property as surplus and assigns it for disposal, the commissioner shall set the price

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based on the fair market value for each item pursuant to the regulations of the board.

Governmental entities and authorized donees may purchase such items at the price set by the commissioner at such times, as specified by regulations of the board, prior to the date of disposal by another method. For all surplus property, governmental entities and authorized donees shall retain possession of such property for one (1) year unless disposal is approved by the board of standards. Transfers of surplus property shall be made at locations designated by the commissioner. Any transfer of motor vehicles, subject to the registration laws of this state, to a governmental entity or authorized donee, shall become null and void, and such property shall revert to the state if such governmental entity or authorized donee does not transfer the registration of title to such motor vehicle to its name within seven (7) days after the sale.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.